

REMARKS

Reconsideration is requested for claims 1-16. Favorable action is requested for new claims 17-19.

Claims 1-4, 6-10, and 12-16 were rejected under 35 U.S.C. 102(b) as being anticipated by EP1033455. Claims 5 and 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over EP1033455 in view of U.S. Patent No. 4,448,002 to *Rehm et al.*

Claim 1, from which claims 2-16 depend, defines an anchoring for strip-shaped traction elements on a supporting structure that is under tension, comprising a base plate attached to the supporting structure and a clamping plate clamped against the base plate and fixed by adhesion and clamping, wherein the clamping plate is supported on the base plate in a positive fit in a direction of traction of the traction element.

EP1033455 discloses a base plate 17a, a clamping plate 17b, and a traction element 16. The clamping plate 17b is secured relative to the base plate 17a by bolts 18 extending through the base plate 17a into the underlying concrete 15 that clamp the traction element 16 between the plates. The bolts extend perpendicular to the direction of traction 16 and cannot reasonably be considered to support the plate 17b in a positive fit in a direction of traction of the traction element. When a traction force acts on both plates 17a and 17b, the bolts 18 will bend at least slightly so that the clamping plate 17b will move at least some distance in the direction of traction. This very short movement is sufficient that the main part of the traction force will be transferred only by the adhesive layer between the traction element 16 and the base plate 17a, whereas only a small amount of the traction force will be taken over by the clamping plate 17b.

When there is a positive fit as is claimed, half of the traction force is transferred over the adhesive layer between the traction element 16 and the clamping plate 17b to the base plate 17a. In this way, adhesive layers on both sides of the traction transfer the traction force.

As there is no structure in EP1033455 that reasonably corresponds to a clamping plate that is supported on a base plate in a positive fit in a direction of traction of the traction element, as recited in claim 1, it is respectfully submitted that claim 1 and the claims dependent therefrom, including claims 2-18, are not anticipated by and define patentably over EP1033455.

Dependent claims are not anticipated and define patentably over EP1033455 for additional reasons. For example, claim 2 recites that the clamping plate, on either side of the traction element, comprises, in each case, a downwardly protruding securing tappet which engages, in each case, a securing recess of the base plate. It is asserted in the Official Action that element 24 in EP1033455 corresponds to a downwardly protruding securing tappet of the clamping plate. However, it is submitted that the elements 24 in FIG. 5 are not part of a clamping plate/base plate arrangement as shown in FIG. 4. Accordingly, for at least this additional reason, claim 2 is submitted to not be anticipated by EP1033455.

Claim 3 recites that the clamping plate exhibits, on either side, in each case, a securing protrusion which is supported, in each case, against a stop that is connected with the base plate. The elements 20 fixed in the concrete 15 in EP1033455 are understood to merely be provided to permit the bolts 18 to be secured in the concrete. There is no connection between the elements 20 and the base plate 17a. Accordingly, at least because the structure recited in claim 3 is not found in EP1033455, claim 3 is not anticipated by EP1033455.

Claim 4 recites that the clamping plate, with its front surface facing in the direction of the traction force, is supported against two stops that are connected with the base plate. It is asserted that the bolts 18 are connected to the base plate 17a. However, the bolts 18 merely extend through the base plate 17a and are not connected to the base plate in any reasonable sense. Accordingly, at least because the structure recited in claim 4 is not found in EP1033455, claim 4 is not anticipated by EP1033455.

Claims 6 and 12-16 recite the clamping plate is fixed in position by a positioning device which engages the clamping plate in the direction of the traction force in positive fitting support against the base plate. The “adapted to” language has been omitted to more positively recite the claimed structure. EP1033455 does not disclose structure corresponding to a positioning device that engages the clamping plate in the direction of the traction force in positive fitting support against the base plate. The element 25 in EP1033455 is not seen to be engaged in any way with the clamping plate 17b and is understood to be a roller disposed at an end of the traction element opposite the clamping plate 17b. Accordingly, at least because the structure recited in claims 6 and 12-16 is not found in EP1033455, those claims and the claims dependent from claim 6 are not anticipated by EP1033455.

With regard to claims 5 and 11, which recite that the stops of the base plate are welded on push blocks, it is asserted that the internally threaded elements 20 with which the bolt 18 engages in EP1033455 are connected to the base plate 17a. However, it is submitted that this is incorrect as the bolts 18 merely extend through holes in the base plate 17a. There is not inherently any connection between the bolts and the base plate. *Rehm et al.* does not cure this defect of

EP1033455 and, accordingly, for at least this reason, claims 5 and 11 define patentably over the applied documents.

Additionally, the Official Action asserts that the tendons 11-13 disclosed in *Rehm et al.* correspond to stops welded to a push block 47 to help distribute the load. It is respectfully submitted that this is incorrect, as the tendons are understood to correspond generally to traction elements. A plate 47 is welded onto an anchorage pot 14 in which the tendons are secured between plates 20-23, and the plate bears against the concrete body 17. This structure is not seen to bear any similarity to the claimed structure and any combination with EP1033455 would not result in the claimed structure. Accordingly, for this additional reason it is submitted that claims 5 and 11 define patentably over EP1033455 in view of *Rehm et al.*

It is respectfully submitted that all of the pending claims are in condition for allowance. Allowance is cordially urged.

It is believed that no fees or petitions for extension of time are required for this paper. However, to the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any fees due in connection with this and any other papers submitted to the Office, including extension of time fees, to Deposit Account 503015 and please also credit any excess payments to such deposit account.

If the Examiner should be of the opinion that a telephone conference would be helpful in resolving any outstanding issues, the Examiner is urged to contact the undersigned

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Respectfully submitted,
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